



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 25, 2011

IN REPLY PLEASE
REFER TO FILE

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

5 January 25, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION TO VACATE CREEK TRAIL
NORTHWEST OF TOPANGA CANYON BOULEVARD
IN THE UNINCORPORATED COMMUNITY OF TOPANGA
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action involves the proposed vacation of a portion of Creek Trail northwest of Topanga Canyon Boulevard in the unincorporated community of Topanga, which is no longer needed for public use. The vacation has been requested by the underlying fee owners in order that they can provide improvements to the property as part of the construction of a new home.

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the portion of Creek Trail proposed to be vacated is unnecessary for present or prospective public use, and is not useful as a nonmotorized transportation facility.
3. Find that the public convenience and necessity require the reservation and exception of easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within

Creek Trail, owned by the County of Los Angeles and the Southern California Edison Company, in accordance with Sections 8340 and 8341 of the California Streets and Highways Code.

4. Adopt a Resolution to Vacate with Reservations a portion of Creek Trail, pursuant to Section 8324 of the California Streets and Highways Code.
5. Authorize the Department of Public Works to record the certified resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate a portion of Creek Trail northwest of Topanga Canyon Boulevard (Easement), in the unincorporated community of Topanga, since it no longer serves the purpose for which it was dedicated and is not required for public access or transportation.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,500 fee to defray the expenses of the investigation, mailings, publication, and posting. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 2,250 square feet and is shown on the map that is attached to the enclosed Resolution to Vacate with Reservations.

The procedure for the vacation of a County highway is set forth in Chapter 3 of Part 3 of Division 9 of the California Streets and Highways Code commencing with Section 8320.

Pursuant to Section 8320, your Board may initiate proceedings to vacate a public highway by having the Executive Office of the Board of Supervisors set a date (not less than 15 days after the initiation of proceedings), hour, and place for a hearing on the vacation.

Pursuant to Section 8322, notice of the hearing must be published for at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the County.

Pursuant to Section 8323, at least two weeks before the day set for the hearing, at least three notices of the hearing must be posted conspicuously along the line of the highway proposed to be vacated.

Pursuant to Section 8324, your Board may adopt a resolution vacating the highway if, after considering all the evidence offered at the hearing, your Board determines that the highway is unnecessary for present or prospective public use.

Additionally, pursuant to Sections 8314 and 892, your Board must also find that the highway proposed to be vacated is not useful as a nonmotorized transportation facility, prior to resolving to vacate the highway.

The County's interest was acquired in 1924 by dedication in Tract No. 6915, recorded in Book 96, pages 83 through 88, inclusive, of Maps, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for street purposes.

James Perry of Nicholson Wirts Architects, on behalf of Kevin Crey and Toni Crey, the underlying fee owners, requested the vacation to provide improvements to the property as part of the construction of a new home.

Creek Trail is not a through street and provides access to three properties. The southwesterly portion of Creek Trail has already been vacated and is currently used by the property owner; new buildings occupy portions of the previously vacated area.

The proposed vacation has been approved by all adjacent property owners.

The portion of Creek Trail to be vacated was reviewed by the Departments of Parks & Recreation and Regional Planning. It was determined to be not useful as a nonmotorized transportation facility as it does not connect to any proposed or existing trails or facilities in the area.

Existing easement rights for existing facilities will be reserved for the Southern California Edison Company and the County pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA. The proposed vacation of Creek Trail is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria of Sections 15305 and 15321 of the State CEQA Guidelines. In addition, the project is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption under Section 15305 inapplicable based on the project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

Existing easement rights for utility facilities will be reserved for the Southern California Edison Company and the County pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

CONCLUSION

A Notice of Proposed Vacation is enclosed for the Clerk's use, in publishing notice of the hearing in accordance with Section 8322 of the California Streets and Highways Code. The Department of Public Works (Public Works), Survey/Mapping & Property Management Division, will post notices of the hearing in accordance with Section 8323 of the California Streets and Highways Code.

The Honorable Board of Supervisors
January 25, 2011
Page 5

Please return one adopted copy of this letter and one original and one copy of the resolution to Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,



for
GAIL FARBER
Director of Public Works

GF:SGS:mr

Enclosure

c: Auditor-Controller (Accounting Division - Asset Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**NOTICE OF PROPOSED VACATION OF CREEK TRAIL
NORTHWEST OF TOPANGA CANYON BOULEVARD,
IN THE UNINCORPORATED COMMUNITY OF TOPANGA
IN THE THIRD SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Los Angeles will conduct a hearing regarding the proposed vacation, with reservations, of Creek Trail northwest of Topanga Canyon Boulevard (Topanga, CA 90290), in the unincorporated portion of the County of Los Angeles, State of California, in the Third Supervisorial District, as described in Exhibit A and as shown on the map in Exhibit B, both attached hereto and incorporated herein by this reference.

The proceedings for the proposed vacation are being conducted pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320.

The hearing on the proposed vacation will take place in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on January 25, 20 11, at 9:30 a.m./p.m.

GT:mr

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**RESOLUTION TO VACATE
CREEK TRAIL NORTHWEST OF TOPANGA CANYON BOULEVARD WITH
RESERVATIONS**

WHEREAS, the Board of Supervisors of the County of Los Angeles has conducted a noticed public hearing regarding the proposed vacation of Creek Trail northwest of Topanga Canyon Boulevard in the unincorporated community of Topanga, in the County of Los Angeles, State of California, as legally described in Exhibit A and depicted on Exhibit B, both attached hereto, in accordance with Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320, and has considered all evidence submitted at the hearing;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. That the above-described portion of Creek Trail is unnecessary for present or prospective public use, and is not useful as a nonmotorized transportation facility
2. That the public convenience and necessity require the reservation and exception of easements and rights-of-way for the maintenance, operation, replacement, removal and renewal of utility facilities located within Creek Trail, owned by the County of Los Angeles and the Southern California Edison Company, in accordance with Section 8340 and 8341 of said Streets and Highways Code.
3. That the above-described portion of Creek Trail is hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located in Creek Trail, in favor of the County of Los Angeles and in favor of the Southern California Edison Company.
4. That the Director of Public Works or her designee is authorized to record the certified original resolution with the Los Angeles County Registrar-Recorder/County Clerk.

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The foregoing resolution was on the 25th day of January, 2011, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Lachelle Smithman
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By Andrea Sheridan Ordin
Deputy

GT:mr

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EXHIBIT A

CREEK TRAIL NORTHWEST OF
TOPANGA CANYON BOULEVARD
CREEK TRAIL 1-1VAC

A.I.N. 4444-025-008,009 & 012

T.G. 590-B5

I.M. 144-097

R.D. 336

S.D. 3

M0988104

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of Easement)

That portion of Creek Trail, 15 feet wide, as shown on map of Tract No. 6915, recorded in Book 96, pages 83 through 88, inclusive, of Maps, in the office of the Registrar-Recorder/ County Clerk, bounded southwesterly by a line which bears at right angles from the southeasterly line of Lot 155 of said tract and which passes through the most southerly corner of said lot and bounded northeasterly by a line which bears at right angles from the southeasterly line of Lot 151 of said tract and which passes through the most easterly corner of said last mentioned lot.

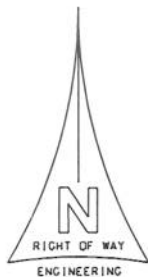
Containing: 2,250±square feet

RESERVING to the County of Los Angeles an easement for water main facilities and appurtenances and ingress and egress purposes in, on, over, and across the above-described portion of Creek Trail herein being vacated.

ALSO RESERVING to the Southern California Edison Company an easement for public utility purposes in, on, over, and across the above-described portion of Creek Trail herein being vacated.

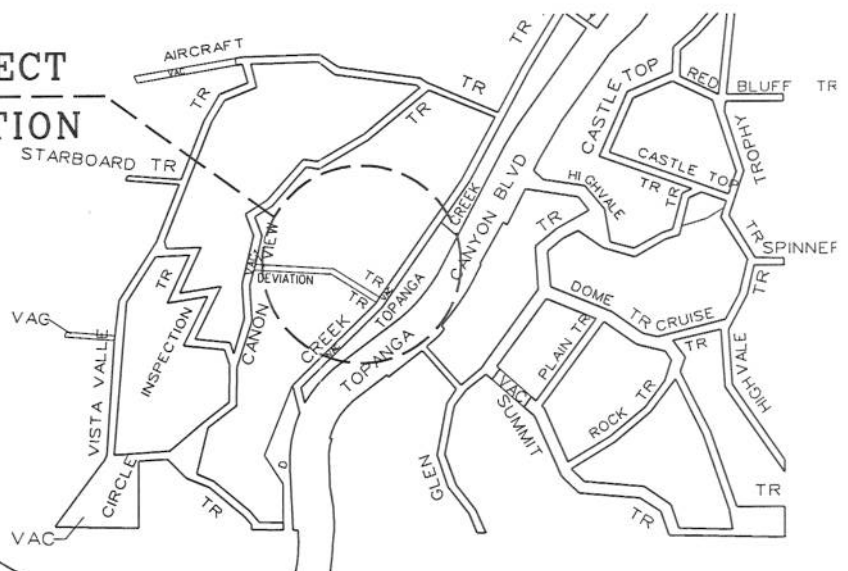
APPROVED AS TO DESCRIPTION
<u>January 5</u> , <u>2011</u>
COUNTY OF LOS ANGELES
By <u><i>[Signature]</i></u>
SUPERVISING CADASTRAL ENGINEER III
Survey/Mapping & Property Management Division

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code



SUBJECT

LOCATION



Area to be Vacated
Total Area 2,250 ± s.f.

Applicant

REVISIONS

1.

2.

3.

SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

SD.
3RD.
336

A.I.N.
4444-025-
008,009&012

T.G.
590-B5

CREEK TRAIL
NW/O

DRAWING NO.
M0988104

SHEET 1 of 1

SCALE
NONE

DATE
10-26-10

I.M.
144-097

TOPANGA CYN BLVD